

## AFFIDAVIT OF SERVICE

Index #: 08 CIV 3947 CLB)

## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Date Purchased: April 28, 2008

Date Filed:

Court Date:

## COUNTY

ATTORNEY(S): Joseph N. Cordaro AUSA : U.S. Attorney's Office - SDNY PH: 212-637-2745

ADDRESS: 86 Chambers Street New York N.Y. 10007 File No.:

UNITED STATES OF AMERICA,

VS.

ESTATE OF MARILYN A. CALANGELO, et al.,

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF New York, COUNTY OF Oswego SS.:RICHARD J. RICKERT

, being duly sworn deposes and says:

Deponent is not a party herein, is over 18 years of age. On 5-5-2008 at 6:54 Pm  
at 160 Hood Avenue, Syracuse, NY 13208, deponent served the within

## Summons In A Civil Case, Complaint, Judge's Rules and Electronic Case Filing Notice

with Index Number 08 CIV 3947 CLB, and Date Purchased April 28, 2008 endorsed thereon,  
on: Estate of Marilyn A. Calangelo c/o Anthony Calangelo, Defendant therein named.#1 INDIVIDUAL  By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.2 CORPORATION  By delivering to and leaving with \_\_\_\_\_ and that deponent knew the person so served to be Managing Agent of the corporation, and authorized to accept service on behalf of the corporation.*Service was made in the following manner after your deponent was unable, with due diligence, to serve the witness/defendant in person, and an attempt to locate the defendant's place of employment.*#3 SUITABLE AGE PERSON  By delivering a true copy of each to \_\_\_\_\_ a person of suitable age and discretion.  
 Said premises is recipient's [ ] actual place of business [ ] dwelling house (usual place of abode) within the state.#4 AFFIXING TO DOOR  By affixing a true copy of each to the door of said premises, which is recipient's: [ ] actual place of business  
[ ] dwelling house (place of abode) within the state.#5 MAIL COPY  On \_\_\_\_\_, deponent completed service under the last two sections by depositing a copy of the postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of \_\_\_\_\_ Certified Mail No. \_\_\_\_\_Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_#6 NON-SRVC  After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served because of the following: [ ] Unknown at Address [ ] Evading [ ] Moved left no forwarding  
[ ] Address does not exist [ ] Other: \_\_\_\_\_#7 DESCRIPTION  A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:  
(use with #1, 2 or 3) Sex Male Color of skin white Color of hair black Age 30 Height 5'1"  
Weight 160 Other Features: Goatee + Mustache#8 WIT. FEES  the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.#9 MILITARY SRVC  Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of \_\_\_\_\_ and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.#10 OTHER  \_\_\_\_\_Sworn to before me on this 6 day of May 2010Richard J. Rickert

Please Print Name Below Signature

Richard J. Rickert

James J. Siskill  
 DAVID J. SISKILL, Esq.  
 No. 100-10000  
 Notary Public, State of New York  
 Qualified in Onondaga County  
 My Commission Expires 03/16/2010

Process Server

Invoice•Work Order # 0817805

CAPITAL PROCESS SERVERS, INC. 265 POST AVENUE SUITE 150, WESTBURY, NY 11590 -TEL 516-333-6380 • FAX 516-333-6382

JUDGE BREWANT

AO 440 (Rev. 10/93) Summons in a Civil Action - SDNY WEB 4/99

ORIGINAL

United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

United States of America

SUMMONS IN A CIVIL CASE

v.

CASE NUMBER  
08 CV 3947

Estate of Marilyn A. Calangelo, Sullivan County  
Department of Family Services, Catskill Regional  
Medical Center, John Does Nos. 1-10 and Jane  
Does Nos. 1-10

TO: (Name and address of defendant)

Estate of Marilyn A. Calangelo  
c/o Anthony Calangelo  
160 Hood Avenue  
Syracuse, NY 13208

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Michael J. Garcia  
United States Attorney for the Southern District of New York  
By: Joseph N. Cordaro, Assistant United States Attorney  
86 Chambers Street, 3rd Floor  
New York, NY 10007

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

APR 28 2008

CLERK

DATE

(BY) DEPUTY CLERK